

## CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 6/11/2015

Action Requested By:  
Planning

Agenda Item Type  
Resolution

Subject Matter:

Zoning Ordinance Amendment.

Exact Wording for the Agenda:

Resolution to set a public hearing of an ordinance to amend Zoning Ordinance Article 3 – Definitions; Amend Article 23 – General Business C-3 District Regulations, Section 23.1 - Uses Permitted; Article 24 – Highway Business C-4 District Regulations, Section 24.1 - Uses Permitted; Article 25 – Commercial Recreation C-5 District Regulations, Section 25.1 - Uses Permitted; Article 40 – Light District Regulations, Section 40.1 - Uses Permitted; Article 44 – Commercial Industrial Park District Regulations, Section 44.1 - Uses Permitted; Article 60 – Medical District Regulations, Section 60.1 - Uses Permitted; Article 64 – Airport Commercial District Regulations, Section 64.1 - Uses Permitted; Article 66 – Medical 2 District Regulations, Section 66.1 - Uses Permitted and amend Article 92 - Board Of Adjustment, Section 92.5.3 - Permitted Uses As Special Exceptions, to add regulations concerning farmers markets.

**Note: If amendment, please state title and number of the original**

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow

and accomplish and; any other information that might be helpful.

Recommended by Planning Commission.

Public Hearing Date: July 23, 2015

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: Mickael G. Jordan

Date: 5/26/2015

**RESOLUTION NO. 15-\_\_\_\_\_**

**WHEREAS**, the Planning Commission of the City of Huntsville, Alabama, has given consideration to an amendment to the Zoning Ordinance, a synopsis of said amendment being as follows:

- (1) Amends ARTICLE 3 - DEFINITIONS, Section 3.1-Interpretation; amends ARTICLE 23 - GENERAL BUSINESS C-3 DISTRICT REGULATIONS, Section 23.1 - Uses Permitted; ARTICLE 24 - HIGHWAY BUSINESS C-4 DISTRICT REGULATIONS, Section 24.1 - Uses Permitted; ARTICLE 25 - COMMERCIAL RECREATION C-5 DISTRICT REGULATIONS, Section 25.1 - Uses Permitted; ARTICLE 40 - LIGHT DISTRICT REGULATIONS, Section 40.1 - Uses Permitted; ARTICLE 44 - COMMERCIAL INDUSTRIAL PARK DISTRICT REGULATIONS, Section 44.1 - Uses Permitted; ARTICLE 60 - MEDICAL DISTRICT REGULATIONS, Section 60.1 - Uses Permitted; ARTICLE 64 - AIRPORT COMMERCIAL DISTRICT REGULATIONS, Section 64.1 - Uses Permitted; ARTICLE 66 - MEDICAL 2 DISTRICT REGULATIONS, Section 66.1 - Uses Permitted and amends ARTICLE 92 - BOARD OF ADJUSTMENT, Section 92.5.3 - Permitted Uses as Special Exceptions, to add regulations concerning farmers markets.
- (2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the Huntsville Times on the \_\_\_\_ day of \_\_\_\_, 2015, and the second publication shall be one week thereafter on the \_\_\_\_ day of \_\_\_\_, 2015, both of which publications shall be at least 15 days in advance of the date of the public hearing hereinafter referred to.

**WHEREAS**, it is the judgment and opinion of the City Council of the City of Huntsville, Alabama, that consideration should be given to the adoption of said amendment to the Zoning Ordinance of the City of Huntsville, Alabama;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Huntsville, Alabama, as follows:

That the City Council of the City of Huntsville, Alabama, shall meet at 6:00 p.m. on the \_\_\_\_ day of \_\_\_\_, 2015, in the Council Chambers of the City of Huntsville Administration Building at 308 Fountain Circle in the City of Huntsville, Alabama, for the purpose of holding a public hearing, at which time and place all persons, parties in interest and cities who desire, shall have an opportunity to be heard in opposition to or in favor of said ordinance amending the Zoning Ordinance of the City of Huntsville, Alabama.

That the proposed amendment to the Zoning Ordinance of the City of Huntsville, Alabama, is substantially in words and figures as follows:

ORDINANCE NO. 15-

AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE  
CITY OF HUNTSVILLE, ALABAMA

The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 Code of Alabama, **BE IT ORDAINED** by the City Council for the City of Huntsville, Alabama, that the Zoning Ordinance of the City of Huntsville, Alabama, as adopted on the 21st day of March 1963, as amended, is hereby further amended as follows:

*Section 1. Amend ARTICLE 3 - DEFINITIONS, Section 3.1 - Interpretation to add the following new definitions:*

Farmers Market- A market conducted outdoors or in an unenclosed shelter where retail sales and demonstration of home-grown products, including produce, ornamental crops, meat, eggs and other agricultural products; homemade value added products, including baked goods, jams and jellies, pickles and relish, dried fruits, syrups and honey; and handmade arts, crafts, and unique local goods are conducted by the vendor engaged in the production of such products. The term does not include the sale or demonstration of mass produced items, used clothing, appliances, and other similar products.

*Section 2. Amend ARTICLE 23 - GENERAL BUSINESS C-3 DISTRICT REGULATIONS, Section 23.1 - Uses Permitted; ARTICLE 24 - HIGHWAY BUSINESS C-4 DISTRICT REGULATIONS, Section 24.1 - Uses Permitted; ARTICLE 25 - COMMERCIAL RECREATION C-5 DISTRICT REGULATIONS, Section 25.1 - Uses Permitted; ARTICLE 40 - LIGHT INDUSTRY DISTRICT REGULATIONS, Section 40.1 - Uses Permitted; ARTICLE 44 - COMMERCIAL INDUSTRIAL PARK DISTRICT REGULATIONS, Section 44.1 - Uses Permitted; ARTICLE 60 - MEDICAL DISTRICT REGULATIONS, Section 60.1 - Uses Permitted; ARTICLE 64 - AIRPORT COMMERCIAL DISTRICT REGULATIONS, Section 64.1 - Uses Permitted; ARTICLE 66 - MEDICAL 2 DISTRICT REGULATIONS, Section 66.1 - Uses Permitted by adding the following as permitted uses:*

Farmers Markets.

*Section 3. Amend ARTICLE 92 - BOARD OF ADJUSTMENT, Section 92.5.3 - Permitted Uses as Special Exceptions to add the following:*

- (38) Farmers markets located in Residence 1, Residence 1-A, Residence 1-B, Residence 1-C, Residence 2, Residence 2-A, Residence 2-B, Residence 2-C, Neighborhood Business C-1, Neighborhood Business C-1A, and Neighborhood Business C-2 Districts.

*Section 4. This ordinance shall take effect from and after the date of its publication.*

ORDINANCE NO. 15-

**ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
President or President Pro Tem of  
the City Council of the City of  
Huntsville, Alabama.

**APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama

RESOLUTION NO. 15-

**ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
President or President Pro Tem of  
the City Council of the City of  
Huntsville, Alabama.

**APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama